

CBI SUBSTANTIATION
For PMN, SNUN, TMEA, LVE, and LOREX filings

Use of this form is recommended, but not required.

Choose an item.

Technical Contact Name:	
Technical Contact Phone Number:	
Technical Contact Email Address:	
Submitting Company Name	
Submission Number (if known):	

Important: You are responsible for substantiating ***each*** data element you claim as CBI unless that item is exempt from the substantiation requirement according to TSCA section 14(c)(2). This template identifies the information that EPA considers to generally be exempt in this submission type. EPA expects that it will generally deny non-exempt CBI claims that are not substantiated, so recommends that the submitter carefully review the TSCA submission to assure that the substantiation addresses all CBI claims that require substantiation. The substantiation must also clearly indicate which CBI claim(s) it is intended to cover. In this template, similar data elements have been grouped together to permit substantiation of multiple such elements at one time.

EPA expects that some types of CBI claims will be more difficult to support than others or are in some cases restricted by TSCA or its implementing regulations. Health and safety studies and information from such studies, with limited exceptions, may not be withheld by EPA as confidential. For more information, please visit: <https://www.epa.gov/tsca-cbi/what-include-cbi-substantiations>

40 CFR § 2.208 specifies the substantive criteria that are used to determine whether information is entitled to confidential treatment. Among these criteria is the substantial competitive harm(s) that would be caused by public disclosure of the information that you have claimed as CBI. Failure to sufficiently explain this harm in the substantiation for any data element claimed as CBI may result in a denial of the CBI claim for that data element.

The “CBI Claim” column on this substantiation document is intended to be used to indicate that a CBI claim has been made for the corresponding information in the PMN form. Please verify that the information you indicate is claimed as CBI on this substantiation document is in fact claimed as CBI in the PMN form and/or attachments. This template cannot be used to assert a CBI claim that is not asserted in the PMN form.

I. COMPETITIVE HARM QUESTIONS		
Part I Section A Submitter Identification	CBI Claim	Substantiation <i>(Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)</i>
Signature and Date of Authorized Official (Page 2)	<input checked="" type="checkbox"/>	<p>Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. Once this product is commercialized, we can't claim the chemical itself as CBI. Therefore, to keep a competitive edge in the market, we claim information related to our company and our identity as CBI. This breaks the link between the specific chemical and our unique use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods to provide data to clients within 3-10 days, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods.</p>
Signature and Date of Agent (Page 2)	<input type="checkbox"/>	
Person Submitting Notice (Part I Section A.1.a)	<input checked="" type="checkbox"/>	
Agent (Part I Section A.1.b)	<input type="checkbox"/>	
Joint Submitter (Part I Section A.1.c)	<input type="checkbox"/>	
Technical Contact (Part I Section A.2)	<input checked="" type="checkbox"/>	<p>Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. Once this product is commercialized, we can't claim the chemical itself as CBI. Therefore, to keep a competitive edge in the market, we claim information related to our company and our identity as CBI. This breaks the link between the specific chemical and our unique use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods to provide data to clients within 3-10 days, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods.</p>
Pre-notice Communication (PC) (Part I Section A.3)	<input type="checkbox"/>	Click or tap here to enter text.
Previously Submitted Exemption Application (Part I Section A.4)	<input type="checkbox"/>	
Previously Submitted Bona Fide (Part I Section A.5)	<input type="checkbox"/>	

Part I Section B Chemical Identity Information	CBI Claim	Substantiation <i>(Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)</i>
Chemical Class (Part I Section B.1.a)	<input checked="" type="checkbox"/>	Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested
Chemical Name (Part I Section B.1.b)	<input checked="" type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested</p>
Molecular Formula (Part I Section B.1.d)	<input checked="" type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer</p>

		products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested
Chemical Structure Diagram for Class I (Part I Section B.1.e)	<input checked="" type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested.</p>
Precursor Substances Class II (Part I Section B.1.e.1)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Reaction or Process for Class II (Part I Section B.1.e.2)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Range of Composition and Typical Composition for Class II (Part I Section B.1.e.3)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Polymer Information (Part I Section B.2.a)	<input type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Click or tap here to enter text, if applicable.</p>
Monomer or Other Reactant Specific Chemical Name (Part I Section B.2.b.1)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim

Monomer or Other Reactant Specific Chemical Name Typical Composition (Part I Section B.2.b.3)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Monomer or Other Reactant Specific Chemical Name Include in Identity (Part I Section B.2.b.4)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Monomer or Other Reactant Specific Chemical Name Max Residual (Part I Section B.2.b.6)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Current Chemical Abstracts (CA) Name and Number for Polymer (Part I Section B.2.d)	<input type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Click or tap here to enter text, if applicable.</p>
Chemical Structure Diagram (Part I Section B.2.e)	<input type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Click or tap here to enter text, if applicable.</p>
Impurities (Part I Section B.3)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Synonyms (Part I Section B.4)	<input type="checkbox"/>	<p>Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.</p> <p>Click or tap here to enter text, if applicable.</p>
Trade Identification (Part I Section B.5)	<input type="checkbox"/>	Exempt prior to the substance first being offered for commercial distribution – for PMN, LVE, TMEA, and LOREX submissions, no substantiation is required for CBI claims on this specific data element. Submitters of SNUNs and requests to modify an LVE or LOREX may not be exempt from this substantiation requirement.

		The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, trade identification) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location and operations is not available on any of our public documents (e.g., our corporate website). The trade names of our tracers are used to identify our specific products to our clients; as such, these names are publicly available. However, there is no public information that links the trade name to the specific chemical used to create that tracer substance. We have filed for, and received, trade identification protection for this information from various state regulatory agencies (see below)
Byproducts (Part I Section B.7)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Part I Section C. Production, Import and Use Information	CBI Claim	Substantiation (Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)
Production Volume (Part I Section C.1)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Category of Use (Part I Section C.2.a.1)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Use Production (Part I Section C.2.a.4)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
% in Formulation (Part I Section C.2.a.6)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
% of Substance Expected Per Use (Part I Section C.2.a.8)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Part II Section A Industrial Sites Controlled by the Submitter	CBI Claim	Substantiation (Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)
Site Identity (Part II Section A.1.a) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input checked="" type="checkbox"/>	The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in

		the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location is not available on any of our public documents (e.g., our corporate website).
Number of Sites (Part II Section A.1.a) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input checked="" type="checkbox"/>	The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location is not available on any of our public documents (e.g., our corporate website).
Site Operations (Part II Section A.1.b) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input checked="" type="checkbox"/>	The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location and operations is not available on any of our public documents (e.g., our corporate website).
Amount and Duration (Part II Section A.1.c)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Process Description (Part II Section A.1.d)	<input checked="" type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Worker Activity (Part II Section A.2.1) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input checked="" type="checkbox"/>	The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location and worker activity is not available on any of our public documents (e.g., our corporate website).

Physical Form(s) & % New Substance (Part II Section A.2.5)	<input checked="" type="checkbox"/>	<p>The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to prevent our competitors from being able to reverse engineer our products, our manufacturing methods, and our analytical methods. The information on our site location, worker activity, and processes—including physical forms and % new substance-- is not available on any of our public documents (e.g., our corporate website).</p>
# of Workers Exposed (Part II Section A.2.8) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input checked="" type="checkbox"/>	<p>The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to keep our competitors from being able to reverse engineer our products, our manufacturing, and our analytical methods. The information on our site location, worker activity, etc is not available on any of our public documents (e.g., our corporate website).</p>
Maximum Duration (Part II Section A.2.10-11)	<input checked="" type="checkbox"/>	<p>The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to prevent our competitors from being able to reverse engineer our products, our manufacturing methods, and our analytical methods. The information on our site location, worker activity, and processes is not available on any of our public documents (e.g., our corporate website).</p>
Release Number and Amount of New Substance Released (Part II Section A.3.1-2)	<input type="checkbox"/>	Click or tap here to enter text.
Medium of Release and Control Technology and Efficiency (Part II Section A.3.4-5)	<input type="checkbox"/>	

Destinations of Releases to Water (Part II Section A.3.7)	<input type="checkbox"/>	
Part II Section B Industrial Sites Controlled by Others	CBI Claim	Substantiation (Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)
Operation Description (Part II Section B.1)	<input type="checkbox"/>	Exempt – No substantiation required for this specific data element claim
Letter of Activity and # of Workers Exposed (Part II Section B.2.1-2) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input type="checkbox"/>	Click or tap here to enter text.
Duration of Exposure (Part II Section B.2.4) <i>Provide a detailed substantiation explaining how/why the release of this data element information will substantially harm your company.</i>	<input type="checkbox"/>	Click or tap here to enter text.
Protective Equipment/Engineering Controls/Physical Form/ % New Substance/% in Formulation (Part II Section B.2.6-7)	<input type="checkbox"/>	Click or tap here to enter text.
Release Number and Amount of New Substance Released (Part II Section B.2.9-10)	<input type="checkbox"/>	
Media of Release & Control Technology (Part II Section B.2.12)	<input type="checkbox"/>	
Byproducts (Part II Section B.2.14)	<input type="checkbox"/>	
Optional Pollution Prevention Information	CBI Claim	Substantiation (Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)
Pollution Prevention Information (PMN page 11, Form page 16)	<input checked="" type="checkbox"/>	The specific identity (name, molecular structure, etc) of our tracer chemicals can't be claimed confidential after commercialization. Therefore, we claim all information that links our company (name, location, operations, etc) to our specific chemical and its

		use. Our ability to offer many unique chemical tracers that can be used with both oil and aqueous fluids, but that can be analyzed in using our specific methods, gives us a competitive advantage in the market. We need to keep this information confidential to prevent our competitors from being able to reverse engineer our products, our manufacturing methods, and our analytical methods. The information in our pollution prevention informatin speaks to our processes—information that is already deemed CBI and exempt from substantiation. This information is not available on any of our public documents (e.g., our corporate website).
Physical and Chemical Properties Worksheet (PMN page 13, Form page 18)	<input checked="" type="checkbox"/>	Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested.
Other information elements claimed as CBI	<input type="checkbox"/>	Click or tap here to enter text.
Part III. Attachments.	CBI Claim	Substantiation (Explain how public disclosure of this information is likely to cause substantial harm to your business's competitive position.)
List of Attachments (Part III, PMN Page 12, form 17)	<input type="checkbox"/>	Click or tap here to enter text.
Health & safety studies or other test data (Note: TSCA section 14(b) places significant limits on what health and safety data may be withheld as CBI.)	<input type="checkbox"/>	Click or tap here to enter text.
SDS	<input checked="" type="checkbox"/>	Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what

		chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested.
Physical Chemistry Property Worksheet	<input checked="" type="checkbox"/>	Due to the length of time required to both process a PMN application as well as complete our R&D testing, we submit the application prior to commercialization. While Molecular Formula can't be kept CBI after commercialization, we claim this information as CBI prior to commercialization. We do this to avoid our competitor's knowing our future plans for new tracer products. Knowing the types of chemicals we are planning to commercialize could help them beat us to market with new offerings. Additionally, if competitors can discover what chemicals we are testing and then determine what chemicals aren't commercialized, that gives them a competitive advantage as well. They can potentially learn from our failings, thereby saving them time and resources that we have already invested.
Other:	<input type="checkbox"/>	Click or tap here to enter text.

II. ADDITIONAL QUESTIONS

A. To the extent the submitter has disclosed information to others (both internally and externally), what precautions has the business taken? Please identify the measures or internal controls the business has taken to protect the information claimed as confidential.	
1. Non-disclosure agreement required prior to access.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Access is limited to individuals with a need-to-know.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Information is physically secured (e.g. locked in room or cabinet) or electronically secured (encrypted, password protected, etc.).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Other internal control measure(s). <i>(If yes please explain below.)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Names/CAS numbers of PMN chemicals are redacted from empty containers before they are disposed of as solid waste. Any paperwork associated with shipments is shredded prior to disposal.	
B. Does the information claimed as confidential appear in any public documents, including (but not limited to) safety data sheet, advertising or promotional material, professional or trade publication, or any other media or publications available to the general public?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Click or tap here to enter text.	
C. Does any of the information you are claiming as CBI contain (a) trade secret(s) ¹ ? <i>(If yes, please identify what information is being claimed as (a) trade secret(s).)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Several state agencies have granted trace secret or commercial information exemption from disclosure, such as the Wyoming Oil and Gas Conservation Commission, the Colorado Oil and Gas Conservation Commission and the Arkansas Oil and Gas Commission. The synonyms listed in the application are the identifiers we use on our product and on such reports as FracFocus.

D. For what period do you assert the claim of confidentiality (please indicate between 1-10 years or until a certain event)?²

[Click or tap here to enter text.](#)

E. Has EPA, another federal agency, or court made any confidentiality determination regarding information associated with this substance? *(If yes, please explain the outcome of that determination and provide a copy of the previous confidentiality determination or any other information that will assist in identifying the prior determination.)*

☐ Yes
☒ No

[Click or tap here to enter text.](#)

F. *(Applicable only to SNUNs or to requests to modify a granted LVE or LOREX submission AND only if chemical identity is claimed as confidential.)* When this chemical substance leaves the site of manufacture in any form, e.g., as product, effluent, emission, what measures are taken to guard against the discovery of its identity? When the chemical substance leaves the site in a product that is available to the public or your competitors, can the chemical substance be identified by analysis of the product?

[Click or tap here to enter text.](#)

Additional comments:

[Click or tap here to enter text.](#)

III.SUBSTANTIATION CERTIFICATION

Do you wish to claim this substantiation as CBI?

TSCA section 14(c) requires that persons asserting a CBI claim shall certify to the validity of the claims. By the marking of a yes, you are certifying to the truth of the below statements.

☒ Yes
☐ No

I hereby certify to the best of my knowledge and belief that all information entered on this form is complete and accurate.

I further certify that, pursuant to 15 U.S.C. § 2613(c), for all claims for confidentiality made with this submission, all information submitted to substantiate such claims is true and correct, and that it is true and correct that

- (i) My company has taken reasonable measures to protect the confidentiality of the information;
- (ii) I have determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law;
- (iii) I have a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of my company; and
- (iv) I have a reasonable basis to believe that the information is not readily discoverable through reverse engineering.

Any knowing and willful misrepresentation is subject to criminal penalty pursuant to 18 U.S.C. § 1001.

¹ **“Trade secret”** is defined as “a secret, commercially valuable plan, formula, process, or device that is used for the making, preparing, compounding, or processing of trade commodities and that can be said to be the end product of either innovation or substantial effort.” Public Citizen Health Research Group v. FDA, 704 F.2d 1280, 1288 (D.C. Cir. 1983).

² Information with withdrawn CBI claims may be made available to the public without further notice.